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Arizona, Governor, 1955-1956 (Ernest William McFarland)

ERNEST W. McFarland
Governor

Special message to 22d Arizona Legislature, March 29, 1956, on
Glen Canyon Dam, location of road to it, and other matters

EXECUTIVE OFFICE
State House
Phoenix, Ariz.
March 29, 1956

Hon. Clarence L. Carpenter, President of the Senate and
Hon. Harry S. Ruppelius, Speaker of the House
Twenty-second Legislature

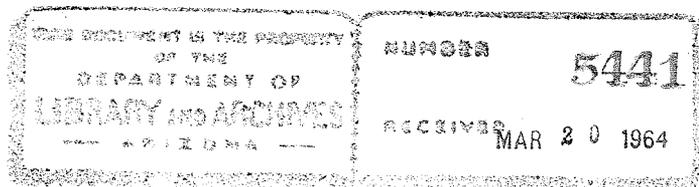
Gentlemen:

This Legislature has been in continuous session since the 24th day of October 1955. I know that the members are tired and anxious to go home. You have been confronted with some of the most important problems in the history of our great state, and you have met this challenge.

Since October 24 you have codified the laws of our State, adjusted the tax on sales to the Federal government, thereby inducing industry to come to this state, and passed a use tax bill which is important particularly to the small business man. I made definite recommendations to you as to certain needed legislation at the beginning of this regular session. I indicated my willingness to confer and work with the leadership in both the House and Senate in respect to any legislation under consideration.

However, I have hesitated to inject myself too far in any legislative matter. Having spent 12 years in the legislative branch of the federal government, I am fully cognizant of the responsibility vested in legislators and am fully aware that there should be a line drawn between the legislative and executive branches of our government. Certainly I would be the last to want to intrude in the legislative field.

However, there are certain things that are clearly the responsibility of the Governor. If our system of Government is to function, there must be mutual consideration extended by each, the executive and legislative branches of the state, to the other. This cooperation in my judgment should embrace careful consideration by the legislators of the recommendations of the Governor. I want you to know I am most appreciative



of your courtesies and the close relationship which has existed between me and the legislators.

I shall not at this time recount the important matters I outlined to you at the beginning of this session, but I feel that there have been certain developments since my last message to you which I should now call to your attention. At the beginning of this session I recommended an increase of one cent in the fuel tax. I did this because, as I stated, it appeared likely that congress would pass a highway bill which would call for matching funds and additional state money would be needed for that purpose. As you know, there are some two and a half million foreign cars traveling through our State annually. I am sure these tourists would gladly contribute to better highways. I further call to your attention the fact that if Congress does not pass a highway bill there will be an even greater need for additional funds.

One of these needs is pointed up by the fact that Congress has passed a bill for the development of the Upper Basin of the Colorado River, which includes the construction of a dam at Glen Canyon. I would like to point out that unless Arizona takes definite steps, practically no benefit to her will result from the construction of that dam. The people in northern Arizona are very much concerned about the possibility of the Glen Canyon townsite being located on the north or west bank of the Colorado River, thus channeling business into Utah instead of our State. They are interested in such a townsite being located on the south or east bank of the river and thus gaining and retaining economic advantages for Arizona. Location of the townsite on the south or east side of the river would result in much cheaper costs to the federal government because the haul would be some 70 miles less to the railroad at Flagstaff, than to the railhead in Utah.

I am enclosing herewith a copy of a letter from Senator Hayden which explains the position of the Bureau of Reclamation in regard to construction of this townsite. You will note from this letter that the Bureau takes the position that location of the townsite will depend largely on what assistance the interested states provide in the construction of the approach road.

"For example," as Senator Hayden wrote, "if the State of Utah would agree to pay all of the cost of building the road which would otherwise be chargeable to the Bureau of Reclamation, the savings thus made would have to be considered as an offset against the lower cost of hauling supplies a shorter distance to a townsite located on the south or east bank of the river,"

Please understand that I do not feel that such savings should be the deciding factor with the Reclamation Service. I believe that when the Bureau takes from Arizona a natural resource such as a dam site and gives the benefits thereof to other states, the least it should do would be to give us the advantage of the trade which would naturally flow from construction of the dam. However, we must face the facts that unless the fuel tax is increased in accordance with my recommendations, (thus equalizing it with New Mexico and California) our State will not have the money to assist in the building of this road, much less to bear the total cost of such construction. Even if money should be budgeted for this purpose in the next fiscal year, it would have to be money which is needed for construction of highways in other parts of the State.

The second imminent loss to us concerns our water resources. I had hoped that the bill authorizing construction of Glen Canyon Dam would be amended so Arizona would have the privilege of diverting water from the reservoir behind the dam and of purchasing one third of the power, without the burden of subsidies for developments in the Upper Basin States. This would have been some compensation for the damage resulting by reason of the fact that construction of this dam prevents the building of a high dam at Marble Canyon. Thus, the only benefit Arizona can receive from the construction of Glen Canyon Dam is such business as Arizona may receive, if any, and silt control in the event that a dam is constructed downstream.

It therefore becomes most important that the Arizona Power Authority be authorized to proceed with the application for construction of Bridge Canyon Dam as both a power and water structure at the earliest possible moment. If our people must buy power generated at Glen Canyon Dam at a rate which will contain a subsidy for development of the Upper Basin States, it will handicap us in the future, not only in the construction of a dam on our own account, but also in bringing in additional water which our state so desperately needs. For these reasons I came before you with a special message recommending that the Power Authority be authorized to proceed along this line.

Of course, we must also keep down the price of power in our State if we expect to compete with other states in encouraging new industry. We will have no control over the matter if we are forced to buy power which is burdened with a subsidy for development in other states. There are also a great many factors involved in our water suit which make my recommendations very important.

In short, it is my considered opinion, and the considered opinion of many other interested and informed citizens of the State that the water legislation I have requested of you is essential, in fact imperative, in aid of the litigation now pending before the Supreme Court of the United States. As a matter of fact, there are those who are of the opinion that I should have gone further in my recommendations. I recommended only a

minimum for the purpose of aiding this law suit, and I particularly requested that no existing water rights be adversely affected by any water legislation adopted. The water bill which was introduced and which passed the house, has been referred to as "the governor's water bill". I would like to call your attention to the fact that this is not just a Governor's bill to answer a Governor's problem, but is one that was developed after conferences between many users of water and power and many others interested in the progress of the State. It is truly a bill representative of the thinking of a cross section of the people of our State. I requested this legislation largely because of the considered opinion of the lawyers versed in this problem that immediate action was necessary at the state level.

As I stated at the beginning of this letter, I know you have been in session for a long time and that the members of this legislature are tired and I am most appreciative of the good work that has been done. I would not burden you with this letter if I did not consider it most important for the future welfare of our State. I have not been one of those who has complained about the action of the legislators. I am most happy to compliment you for your good work, in both the special sessions and the first regular session. On the other hand, I do feel that a Governor is entitled to have matters so vital to the State of Arizona voted upon in both branches of the legislature. Certainly this is not asking too much. It is a courtesy to which a Governor is entitled. I know that each member feels his or her responsibility to the people of the State. I will content myself with whatever action you take if the measures above referred to are finally acted upon by both houses of the legislature. I would feel that I had been negligent in my duty if I did not urge that the full membership be given an opportunity to finally pass upon such legislation, and it is my candid opinion that the people of the state would likewise be disappointed.

Thanking you for the many courtesies which you have extended to me and again offering to confer with you or any member on these or any other important matters, I am

Sincerely yours,

Ernest W. McFarland
Ernest W. McFarland

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United States Senate

COMMITTEE ON APPROPRIATIONS

March 16, 1956

AIR MAIL

Honorable Ernest W. McFarland
Governor of Arizona
State House
Phoenix, Arizona

Dear Ernest:

Your air mail letter arrived this morning and immediately I telephoned the Bureau of Reclamation. Commissioner Dexheimer is away from Washington and will return next week so I talked to Assistant Commissioner Nielsen.

Mr. Nielsen said that the location of the townsite will depend largely upon how much assistance the interested States will provide toward construction of the approach road. For example, if the State of Utah would agree to pay all of the costs of building the road which would be otherwise chargeable to the Bureau of Reclamation, the savings thus made would have to be considered as an offset against the lower cost of hauling supplies a shorter distance to a townsite located on the South or East bank of the River.

When Mr. Dexheimer returns to Washington next week I shall talk with him and then advise whether anything is to be gained by having representatives from Arizona come to Washington prior to the time when the Bureau here has received a report from the Director of Region 4.

With kindest personal regards, I am,

Yours very sincerely,